



Arizona Department of Gaming

TRIBAL GAMING • RACING • BOXING & MIXED MARTIAL ARTS

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AMENDED AGENDA

Pursuant to A.R.S. § 38-431.03(A)(3), the Commission may vote to go into Executive Session for the purpose of obtaining legal advice from its attorney on any matter listed on the agenda. Any such Executive Session will not be open to the public.

A. Call to Order of the 657th Regular Arizona Racing Commission Meeting of November 9, 2017 at 10:00 AM.

Commissioners Present:

Chair Thomas Lawless
Vice Chair Jay McClintock (Telephonically)
Commissioner David Heiple
Commissioner Rory Goreé

Also present:

Deanie Reh, Assistant Attorney General
Greg Stiles, Division of Racing
Cassie Goodwin, Commission Secretary
Camila Alarcon, Esq. (Agenda Items B.1 and C.1 only)

B. Executive Session

The following item is for Executive Session purposes only:

Chair Lawless advised the Commission would be going into Executive Session after Agenda Items C through G are completed.

1. *Simms v. Arizona Racing Commission, et al.*, Case No. LC2016-000505, Ronald A. Simms' Appeal to the Maricopa County Superior Court of the Arizona Racing Commission's Order to Reject the Gaming Director's Ruling to Grant a Racing License to Ronald A. Simms, Case No. 14A-020-RAC. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss or consult for legal advice with its attorneys.

Commissioner Goreé moved to go into Executive Session for legal advice. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

Open Session recessed at 10:25 AM.

Open Session reconvened at 10:36 AM.

C. Hearing Before the Commission

The following item is for review, discussion, and possible action by the Commission:

Chair Lawless advised the Commission will conduct the hearing in this matter after Agenda Items C through G are completed.

1. Ronald A. Simms's Notice of Appeal to Arizona Racing Commission of Department of Gaming Director's July 19, 2017 Letter and August 16, 2017 Order, and the briefs filed by the parties. The Commission may vote to go into Executive Session under A.R.S. § 38-431.03(A)(3) in order to discuss or consult for legal advice with its attorneys.

Stacy Harrison, Esq. addressed the Commission on behalf of Ronald Simms. Joseph Kanefield, Esq. addressed the Commission on behalf of the Department of Gaming, Racing Division.

Commissioner Heiple moved to continue this hearing at the January 14, 2018 meeting to allow the Commissioners time to adequately review the exhibits they did not receive from their attorney when the briefs were filed. Commissioner Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

Commissioner Heiple moved to go into Executive Session for legal advice. Commissioner Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock.)

Open Session recessed at 11:41 AM.

Open Session reconvened at 12:04 PM.

D. New Business

The following New Business items are for a status report, presentation, discussion, and possible action by the Commission.

1. Approval of 2018 Arizona Racing Commission Meeting Dates

Commissioner Goreé moved to approve the 2018 Arizona Racing Commission meeting dates. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock)

2. Turf Paradise Request for New Off-Track Betting Facility:
Arlie's Bar & Grill located at 2155 E. University Dr., #116, Tempe, AZ 85281

Greg Stiles addressed the Commission.

Commissioner Heiple moved to approve Arlie's Bar & Grill located at 2155 E. University Dr., #116, Tempe, Arizona as an Off-Track Betting Facility. Commissioner Goreé second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock)

2. Request from American Greyhound Park for Approval of Brad Bryant as General Manager

Greg Stiles addressed the Commission.

Commissioner Goreé moved to approve Brad Bryant as the General Manager of American Greyhound Racing. Commissioner Heiple second. Motion carried. (Ayes: Goreé, Lawless, Heiple, McClintock)

E. Information Reports

1. Turf Safety Report (Greg Stiles) – **Greg Stiles addressed the Commission.**
2. Budget Report (Director Casillas) – **Greg Stiles addressed the Commission.**
3. Permittee Reports – **Not to exceed 3 minutes**
 - a. American Greyhound Racing – **No report.**
 - b. County Fairs – **No report.**
 - c. Rillito – **Jaye Wells addressed the Commission.**
 - d. Turf Paradise – **Vincent Francis addressed the Commission.**
 - e. Tucson Greyhound Park – **No report.**
4. Optional Industry Stakeholder Association Updates (limited to officers or officially designated spokesman) – Not to exceed 3 minutes
 - a. Arizona Counties Racing Association – **No report.**
 - b. Arizona Greyhound Association – **No report.**
 - c. Arizona Quarter Horse Racing Association – **No report.**
 - d. Arizona Thoroughbred Breeders Association – **Scott Rawlins, Board Member, addressed the Commission.**
 - e. Horsemen's Benevolent & Protective Association – **Leroy Gessmann addressed the Commission.**
 - f. JACOR Update on Yavapai Downs – **Tom Author addressed the Commission.**
 - g. Jockey's Guild – **No report.**

F. Commission Reports

1. Summary of Current Events Affecting the Arizona Racing Commission. A.R.S. § 38-431.02(K) – Only Commission Members or the Director may report. No discussion or action may be taken on matters reported unless properly noticed for legal action or discussion. – **No report.**
2. Identification of Matters to be placed on future agendas. – **Commissioner Goreé requested Legislative updates be provided beginning with the January 2018 meeting.**

G. Call to the Public

Those members of the public wishing to address the Commission must sign the signup sheet and be recognized by the Chair. Time permitting; each presentation will be given approximately two minutes. Action taken as a result of public comment will be limited to directing staff to study the matter or re-schedule the matter for further consideration at a later date.

Stacy Harrison, Esq. addressed the Commission regarding Item C.1.

Michael Manning, Esq. addressed the Commission regarding Item C.1.

Announcements

The next regular Arizona Racing Commission meeting is tentatively scheduled to be held on **Thursday, January 11, 2018, at 10:00 a.m.** in the Building Conference Room 250, 2nd Floor, located at 1110 West Washington St., Phoenix, Arizona. This is subject to change based on a quorum. Please remember to check the Racing Division's website or contact Cassie Goodwin at 602-771-4263 for confirmation.

Adjournment at 12:06 PM.